

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

AUBRIE D. BREWER,)
Plaintiff,)
vs.)
MARTIN O'MALLEY,) Case No. 4:23-cv-00353-MDH
Commissioner of Social Security,)
Defendant.)

ORDER

Before the Court is the Application for Attorney Fees under the Equal Access to Justice Act (“EAJA”) (Doc. 26). Plaintiff moves the Court for an award against Defendant for Plaintiff’s attorney fees under EAJA. Counsel for Plaintiff has provided an itemized statement for legal services setting forth a request for an award of fees in the amount of \$11,999.91 and is seeking reimbursement of court filing costs of \$405.00.

Defendant has filed a response to Plaintiff's Application for Attorney Fees Pursuant to the EAJA stating the parties have agreed to settle and stipulate that Plaintiff should receive attorney fees in the amount of \$9,500.00. (Doc. 29). Defendant notes the filing fee is a cost distinguished from an expense under the EAJA. *See* 28 U.S.C. § 2412(a). Defendant agrees that Plaintiff should be compensated for the filing fee of \$405.00 from the Judgment Fund administered by the United States Treasury. (Doc. 29).

Based on the record before the Court, the Court hereby **GRANTS** Plaintiff's Motion (Doc. 26) and **ORDERS** attorney fees in the amount of **\$9,500.00** to be paid by the Social Security Administration. The Court **FURTHER ORDERS** filing fees of **\$405.00** be reimbursed

to Plaintiff from the Judgment Fund administered by the United States Treasury. Plaintiff has filed an affidavit and assignment of EAJA fees to her attorneys. (Doc. 26-1). Defendant will verify whether Plaintiff owes a debt to the United States that is subject to an offset. If there is no debt owed by Plaintiff, the attorney fee will be made to Cathleen A. Shine and mailed to 113 E. Wall St., P.O. Box 342, Harrisonville, MO 64701. The filing fee will be made to Cathleen A. Shine and mailed to 113 E. Wall St., P.O. Box 342, Harrisonville, MO 64701 from the Judgment Fund administered by the United States Treasury.

CONCLUSION

For the foregoing reasons, the Court hereby **GRANTS** the Application for Attorney Fees.

IT IS SO ORDERED.

DATED: November 26, 2024

/s/ Douglas Harpool
DOUGLAS HARPOOL
UNITED STATES DISTRICT JUDGE